

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 22, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:35 a.m. Mayor O'Connor and the Council Members presented a proclamation to City Clerk Charles G. Abdelnour congratulating him on his recent marriage and wishing him success. The meeting was recessed by Mayor O'Connor at 1:23 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor O'Connor at 2:04 p.m. with no quorum present. A quorum was present at 2:10 p.m. with Council members Roberts, Pratt and Filner not present. Mayor O'Connor recessed the meeting at 2:35 p.m. to convene the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 2:37 p.m. with Council Members Pratt and Filner not present. The meeting was adjourned at 4:50 p.m. by Mayor O'Connor into Closed Session in the twelfth floor conference room to discuss meet and confer items.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-not present
 - (5) Council Member Bernhardt-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (eb,ll)

FILE LOCATION: MINUTES

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ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Dr. Edward L. Hughes,
Tierrasanta Christian Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Wolfsheimer.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the meetings of:

11/26/90
11/27/90

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A055-068.)

MOTION BY BERNHARDT TO APPROVE. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-91-1118) ADOPTED AS RESOLUTION R-277223

Declaring the week of January 21 through 27, 1991 to be "School Drop-in Week" in San Diego; commending KPBS Television and the San Diego Dropout Prevention and Recovery Round Table for its efforts to dramatize the importance of improving our schools and helping our young people to stay in or return to school to complete their education.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A062-089.)

MOTION BY BERNHARDT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50:

Two actions relative to Notices of Violation and Notices of Nonconforming Rights:

(Introduced on 1/9/91. Council voted 8-0. District 2 not present.)

Subitem-A: (O-91-90) ADOPTED AS ORDINANCE O-17584 (New Series)

Amending Chapter I, Article 3, Division 3, of the San Diego Municipal Code by adding Sections 13.0361, 13.0362, 13.0363, 13.0364, 13.0365, 13.0366, 13.0367, 13.0368, 13.0369, 13.0370, 13.0371, and 13.0372, relating to Recordation of Municipal Code Violations; and reserve for future use Sections 13.0373, 13.0374, 13.0375, 13.0376, 13.0377, 13.0378, 13.0379, and 13.0380.

Subitem-B: (O-91-91) ADOPTED AS ORDINANCE O-17585 (New Series)

Amending Chapter X, Article 1, Division 3, of the San Diego Municipal Code by amending Section 101.0303, relating to the Recordation of Nonconforming Uses and Structures.

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FILE LOCATION: Subitems A and B MEET

COUNCIL ACTION: (Tape location: A237-292.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-51: (O-91-97) ADOPTED AS ORDINANCE O-17586 (New Series)

Amending Chapter VII, Article 1, of the San Diego Municipal Code by amending Section 71.0130 relating to the Transportation Demand Management Program.

(Introduced on 1/9/91. Council voted 8-0. District 2 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A237-292.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-91-49) ADOPTED AS ORDINANCE O-17587 (New Series)

Approving the Development Agreement between the City of San Diego and Wuest Estate Company.

(Case-88-0908. Miramar Ranch North Community Area. District-6. Introduced on 1/8/91. Council voted 8-0. District 1 not present.)

FILE LOCATION: DEVL Wuest Estate Company Development Agreement CONFY91-1

COUNCIL ACTION: (Tape location: A237-292.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

- * ITEM-53: (O-91-108) ADOPTED AS ORDINANCE O-17583 (New Series)

Approving the Development Agreement between the City of San Diego and McMillin-BCED/Miramar Ranch North Partnership.

(District-6. Introduced on 1/8/91. Council voted 7-1. Mayor voted nay. District 1 not present.)

FILE LOCATION: DEVL McMillin-BCED/Miramar Ranch North Partnership Development Agreement
CONFY91-1

COUNCIL ACTION: (Tape location: A237-292.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

- * ITEM-54: (O-91-104) ADOPTED AS ORDINANCE O-17588 (New Series)

Introduction of an Ordinance authorizing the levy of a special tax in Community Facilities District No. 1 (Miramar Ranch North). (Miramar Ranch North Community Area. District-6.)

Introduced on 1/8/91. Council voted 7-1. Mayor voted nay. District 1 not present.)

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: A237-292.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

- * ITEM-55: (O-91-112) INTRODUCED, TO BE ADOPTED FEBRUARY
4, 1991

Introduction of an Ordinance setting aside and dedicating a portion of Pueblo Lot 211 of the Pueblo Lands of San Diego, and Parcel 3 of Parcel Map PM-12389, commonly known as "Famosa Slough," and located at the southeast corner of Famosa Boulevard and West Point Loma Boulevard, for a public park.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: FAMOSA SLOUGH This 20.45-acre property was acquired by the City on November 16, 1990 for \$3,500,000. The purpose of the acquisition was the preservation of an environmentally sensitive wetlands area. CHANNEL Originally acquired in connection with the Mission Bay Park Project in the late 40's and early 1950's, this parcel was conveyed to the Housing Commission in 1981 and relinquished back to the City as surplus to an adjacent low-income housing project in 1983. Its 10.97 acres provide the link between the slough and the San Diego River Flood Control Channel.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A292-334.)

CONSENT MOTION BY ROBERTS TO INTRODUCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

- * ITEM-100: (R-91-1061) ADOPTED AS RESOLUTION R-277224

Awarding a contract to California Pavement Maintenance for Slurry Seal Coating of Various City Streets - Group 8; authorizing the expenditure of not to exceed \$1,639,760 from Gas Tax Fund No. 302191, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to return excess budgeted funds, if any, to the appropriate reserves. (BID-K1195/91)

CITY MANAGER SUPPORTING INFORMATION: On April 10, 1990, the City Council approved specifications and authorized the Purchasing Agent to invite bids for slurry seal coating various streets (Resolution R-275186). The bid specifications offered

bidders the option of concurrently bidding the FY '91 slurry seal program. The low bidder, California Pavement Maintenance, exercised this option and bid the FY 1991 Program at the same price as for FY 1990. We now wish to exercise the option and award the FY 1991 contract. Slurry seal coating is an interim surface treatment applied to asphalt streets at approximately 7 year intervals during the 21-year cycle between resurfacings. It consists of a viscous non-penetrating mixture of crushed rock, asphalt emulsion and water applied to swept streets in a thin layer to cap and seal the wearing surface and to correct minor defects. The proposed contract would provide for slurry sealing of 41,200,000 square feet of streets constituting approximately 198 miles of streets throughout the City. Following is a summary of these streets by neighborhood; Downtown/Hillcrest/North Park/Normal Heights/Logan Heights - 32 miles; East San Diego/Southeast San Diego/Paradise Hills/Encanto - 18 miles; Mission Hills/Old Town/Pt. Loma/Ocean Beach - 17 miles; Mission Beach/Pacific Beach/La Jolla /Bay Park - 43 miles; Clairemont/Serra Mesa/Tierrasanta - 20 miles; Del Mar Heights - 23 miles; Penasquitos/Rancho Bernardo/San Pasqual - 16 miles; South Bay/San Ysidro - 13 miles.

Aud. Cert. 9100486.

FILE LOCATION: CONT-California Pavement Maintenance
CONFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-91-1127) ADOPTED AS RESOLUTION R-277225

Approving Parcel Map W.O. 890658, located southwesterly
of 47th Street and University Avenue. (Mid-City
Community Area. District-3.)

FILE LOCATION: SUBD-Mountain View, Block 3, Lots 36-41

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-91-1129) ADOPTED AS RESOLUTION R-277226

Granting an extension of time to June 1, 1991 to Atlas Hotels, Inc., and Joseph F. Oliver and Susan M. Oliver, subdivider, to complete the improvements required for Carmel Valley Inn.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On December 15, the City entered into an agreement with Atlas Hotels, Inc., a Delaware Corporation, and Joseph F. Oliver Jr. and Susan M. Oliver for the construction of public improvements for Carmel Valley Inn. The agreement expired December 15, 1988. On January 9, 1989, a time extension was granted to June 15, 1990. The subdivider has requested a second extension of time to June 1, 1991 in which to complete the required improvements. Although no work has been started on this project, the work required in connection with this subdivision is to be coordinated with that of an adjacent subdivision. It is anticipated that the adjacent work will commence within 60 to 90 days. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD-Carmel Valley Inn

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-91-1128) ADOPTED AS RESOLUTION R-277227

Granting an extension of time to August 20, 1991 to Lusk/Mira Mesa, subdivider, to complete the improvements required in Lusk Industrial Park Unit No. 4.

(Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On December 12, 1983, the City entered into an agreement with Lusk/Mira Mesa for the construction of public improvements for Lusk Industrial Park Unit No. 4. The agreement expired December 12, 1985. On July 11,

1988 by Resolution R-271327 a time extension was granted to March 10, 1989. The subdivider has requested a second extension of time to August 20, 1991 in which to complete the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD-Lusk Industrial Park Unit No. 4

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-91-1105) ADOPTED AS RESOLUTION R-277228

Authorizing the execution of a quitclaim deed,
quitclaiming to Devonshire Associates, all of the
City's right, title and interest in the open space
easements in Lot 2 of Devonshire Woods, Map-10957, in
exchange for building restricted easements granted in
Lot 2 of Devonshire Woods, Map-10957. (University North
Community Area. District-1.)

FILE LOCATION: DEED F-5497 DEEDFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-91-1130) ADOPTED AS RESOLUTION R-277229

Vacating the City's interest in an unneeded sewer and
drainage easement affecting Lot 5 of Otay International
Center Lot 7, Map-12438, pursuant to Section 8300 et
seq. of the Streets and Highways Code.
(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: An application from the

affected property owner has been received by the Engineering & Development Department for abandonment of a sewer and drainage easement that encumbers property on the southeast corner at the intersection of Airway Road and Paseo De Las Americas in the Otay Mesa area. The easement was acquired by Map in 1989, at no cost to the City, and has never been utilized. The subject easement was reviewed by all affected City Departments and all have concluded there is no present or prospective need for the easement, therefore, it is recommended for Abandonment by Resolution. Also, per Council Policy 600-15, the abandonment has been reviewed by the Otay Mesa/Nestor Planning Committee and there is no objection to the abandonment.

FILE LOCATION: DEED F-5498 DEEDFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-106: (R-91-1108) ADOPTED AS RESOLUTION R-277230

Accepting the generous donation of \$14,814 from NCH Beck Partnership to provide funding for a park ranger 4x4 vehicle and equipment and supplies for a proposed volunteer patrol program to be used in the Los Penasquitos Canyon Preserve; declaring that the City Auditor and Comptroller shall deposit said donation into Los Penasquitos Canyon Preserve Park Revenue Fund No. 10582; thanking NCH Beck Partnership for the donation and its act of civic generosity. (Los Penasquitos Canyon Preserve Community Area. Districts-1 and 6.)

CITY MANAGER SUPPORTING INFORMATION: At the November 28, 1990 meeting of the Los Penasquitos Canyon Preserve Task Force, Mr. Ross Felber, representing NCH Beck Partnership, offered a donation in the amount of \$14,814 toward the purchase of a 4x4 vehicle for use by the Senior Park Ranger and for other equipment and supplies for the Los Penasquitos Canyon Preserve proposed volunteer patrol program. Mr. Felber stated that NCH Beck Partnership, developers of Monarch Estates on Lopez Ridge, was making this donation to assist in the preservation of Preserve resources. The Task Force recommends acceptance of the donation, which will be used as requested.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-358.)

MOTION BY BERNHARDT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-91-1125) ADOPTED AS RESOLUTION R-277231

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$203,000 from the Capital Outlay Fund 30245, CIP-52-140.0, Otay Mesa Road - 1.3 miles east of I-805 to the International Border, to CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limits for the construction of Beyer Boulevard - Route 117 to North City Limits; authorizing the expenditure of an amount not to exceed \$203,000 from CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limits, for the purpose of supplementing Resolution R-271955.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The widening of Beyer Boulevard from a two-lane to a four-lane major street was authorized by the City Council on September 26, 1988, by Resolution No. R-271955. At that time, the total project cost was \$5,466,416, which was funded by CIP (\$1,290,500) and FAU (\$4,175,916). For this project, FAU is financing 86.4 percent of the construction cost, including construction engineering. The City is responsible for 13.4 percent of these two items, plus all of the preliminary engineering cost plus the overhead on the construction engineering cost. Due to field conditions and additional work requirements, several change orders had to be prepared. The major changes covered the upgrading of the slope landscaping adjacent to the new library, revising street grades to avoid an existing sewer, removal and replacement of unsuitable material at bridge approaches, and additional traffic signal modifications. Construction of this project is near completion. However, there are three change orders in processing, plus the final quantities adjustment change orders. In order to cover these remaining change orders, \$203,000 in additional CIP Funds will be required.

Aud. Cert. 9100506.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-91-1119) ADOPTED AS RESOLUTION R-277232

Approving the submission of a joint application with
the Marian Bear Natural Park Recreation Council to
secure a California Department of Water Resources Urban
Stream Restoration Grant for a bank stabilization
project; certifying the project as environmentally
beneficial and categorically exempt from requirements
for environmental document preparation under Class 7,
CEQA Guidelines, Section 15307.

(Clairemont Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego and
the Marian R. Bear Natural Park Recreation Council are reapplying
for a San Clemente Canyon bank stabilization grant project for
the purpose of reducing serious erosion in a feeder gully into
San Clemente Creek. Erosion at the site has undermined an
existing trail, affecting public access and safety. A stand of
oak trees with exposed roots is also threatened. The work plan
is being devised to assure that stream slopes and water velocity
will be reduced and for revegetation with native species.
Although the project was not funded in last year's highly
competitive process, we were encouraged by the California
Department of Water Resources to apply again this year. The
request is for a \$82,460 Urban Streams Restoration Grant with
additional volunteer and in-kind contributions to complete the
project. The amount of \$1.5 million in CIP funds have been spent
to identify and reduce erosion and silt flowing into Mission Bay.
A comprehensive watershed erosion study was conducted by
Woodward-Clyde Consultants that identified this site as No. 3 in
priority of severity of erosion and siltation. Unfortunately,
there were insufficient City funds to provide for bank
stabilization and revegetation at Marian Bear.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-91-1120) ADOPTED AS RESOLUTION R-277233

Approving the submission of a joint application with the Friends of Tecolote Canyon and the Tecolote Canyon Citizen's Committee to secure a California Department of Water Resources Urban Stream Restoration Grant for an erosion control project in Tecolote Canyon Natural Park; certifying the project as environmentally beneficial and exempt from further environmental document preparation in that an Environmental Mitigated Negative Declaration has been prepared as File EMND-0187 and adopted by Council Resolution R-269335.

(Linda Vista and Clairemont Community Areas.
District-5.)

CITY MANAGER SUPPORTING INFORMATION: This reapplication for \$45,000 in grant funds from the California Department of Water Resources is needed to complete the work on erosion control projects in Tecolote Canyon Natural Park. This includes construction of a gabion weir and check dams to reduce erosion at the site. \$1.5 million of CIP funds have been spent to identify and reduce erosion and silt flowing into Mission Bay. A comprehensive watershed erosion study was conducted by Woodward-Clyde Consultants that identified this site as a high priority need based on severity of erosion and siltation. However, there were insufficient funds for the Tecolote project. Grant monies were requested for this project in 1988 by the City and the Tecolote community groups (Tecolote Canyon Citizen's Advisory Committee and the Friends of Tecolote Canyon) and were approved for \$45,000. However, the engineering work could not be finished by the grant deadline, and the funding was retracted. Community group volunteers accomplished part of Tecolote Park revegetation which was planned as part of the original project. The environmental report included an addendum to the Mitigated Negative Declaration which requires additional planting at the site with appropriate native vegetation. The plans and specifications have been completed and the project is ready for advertising for bids as soon as funds can be obtained. The Department of Water Resources has recommended that we resubmit the project for consideration in their current funding cycle.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-110: (R-91-1058) CONTINUED TO JANUARY 28, 1991

Amending Resolution R-267013, adopted on November 10, 1986, subject to the approval and concurrence by the Board of Supervisors of the County of San Diego, to reconstitute the Task Force on Mission Trails Regional Park as follows:

1. Two members from the San Diego City Council, one of whom shall be from the Council district in which the regional park is located.
2. Two members from the San Diego County Board of Supervisors, one of whom shall be from the supervisorial district in which the regional park is located.
3. One member from the Santee City Council.
4. The Chairperson of the Mission Trails Regional Park Citizen's Advisory Committee.
5. One member of the La Mesa City Council shall serve as Alternate.

Declaring that the member of the La Mesa City Council serving as "Alternate" shall serve in those instances when the member from the Santee City Council is unable to attend a Task Force meeting.

Declaring that the purpose of the Task Force on Mission Trails Regional Park is to advise the various public bodies on matters relating to the development of the regional park.

Declaring that the staff service provided by the City of San Diego will be on a reasonable basis as determined by the City Manager.

(Mission Trails Regional Park Community Area.
District-7.)

CITY MANAGER SUPPORTING INFORMATION: The Mission Trails Regional Park Task Force was created as a five member body by Council Resolution R-218325 on May 5, 1977, to study and make recommendations on Mission Trails Regional Park. It consisted of elected officials of government agencies whose districts were impacted by the park boundaries. At that time the agencies represented were the City of San Diego, County of San Diego and City of La Mesa. Currently the six member Task Force includes those agencies and the Mission Trails Regional Park Citizen's Advisory Committee Chairperson, plus an alternate from the City of Santee. This revision will change the status of the La Mesa City Council representative from full-member to alternate and change the status of the Santee City Council representative from alternate to full member. Revision of the primary East County representative from La Mesa to Santee recognizes that park development in the area adjacent to La Mesa has occurred and improvements now being planned in the park are focused in the area adjacent to Santee. This proposed revision was approved by the Mission Trails Regional Park Task Force at their meeting of November 19, 1990, at which time they asked that it be forwarded to the respective jurisdictions, the City Council and County Board of Supervisors, for adoption.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A362-621.)

Motion by Wolfsheimer to amend to seat both the city of La Mesa and the City of Santee. No second.

MOTION BY McCARTY TO CONTINUE ONE WEEK TO JANUARY 28, 1991, AND DIRECT THE CITY MANAGER TO WORK WITH THE CITIES OF LA MESA AND SANTEE TO RESOLVE THE REPRESENTATION PROBLEM FOR THE TASK FORCE ON MISSION TRAILS REGIONAL PARK. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-91-1126) ADOPTED AS RESOLUTION R-277234

Approving Change Order No. 14, dated July 18, 1990, issued in connection with the contract with R. E. Hazard Construction Company, for the Improvement of Beyer Boulevard between Faivre Street and Iris Avenue, amounting to a net increase in the contract price of \$45,476.24, and an extension of time of 10 working days. (Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1989, a contract was awarded to R.E. Hazard Contracting Company for the Improvement of Beyer Boulevard between Faivre Street and Iris Avenue. The project consists of widening the existing two-lane street to a four-lane major street with curbs, gutter, sidewalks and bicycle lanes, along with the replacement of the existing deteriorating wooden bridge. During the grading operation, the contractor encountered an existing concrete encased sewer main in and above the proposed profile of the new street pavement section in Beyer Boulevard. It was, therefore, necessary to revise the street grades to avoid disturbance of this sewer main. This change order authorizes the contractor to provide potholing, additional traffic controls, additional surveying, labor and equipment to construct the new finish grades. By this change order, the time of completion will be adjusted with an additional 10 working days.

Aud. Cert. 9100507.

FILE LOCATION: CONT-R.E. Hazard Construction Company
CONFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-91-883) NOTED AND FILED

(Continued from the meeting January 9, 1991, Item 132,
at Councilmember Wolfsheimer's request, for the San
Pasqual Planning Group to review.)

Approving the Request for Proposals (RFP) for three
parcels totaling approximately 731 acres of City-owned
farmland in San Pasqual Valley. (See City Manager
Report CMR-90-497. San Pasqual Valley Community Area.
District-1.)

COMMITTEE ACTION: Reviewed by PFR on 11/28/90. Recommendation
to approve the City Manager's recommendation. Districts 6, 7 and
8 voted yea. Districts 1 and 3 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A105-112.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE ITEM-150 AT THE CITY MANAGER'S REQUEST AS IT HAD BEEN ADOPTED ON JANUARY 9, 1991, AND INADVERTENTLY PLACED ON THIS DOCKET, AND TO CONTINUE ITEM-203 TO FEBRUARY 19, 1991, AT THE CITY MANAGER'S REQUEST TO MEET WITH THE COMMUNITY. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-91-113) FIRST HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorization of the Police Department (110) by adding two (2.00) Records Clerks positions to the Records Division; authorizing the Auditor and Comptroller to increase the General Fund 100 by \$62,209 for the purpose of funding the fingerprint identification system(Cal-ID), to be allocated as follows: \$48,834 - Personnel and \$13,375 Non-personnel to defray costs of the additional positions, said \$62,209 to come from reimbursement from the County of San Diego Sheriff's Department and be deposited initially into General Fund 100 Revenue Account 79410 for the above purpose.

CITY MANAGER SUPPORTING INFORMATION: Resolution R-269704, dated November 9, 1987, authorized the City to participate with the County and State in a Fingerprint Identification System called Cal-ID. This system is a computer generated system that identifies suspects from fingerprints left at the scene of a crime and positively identifies arrestees at the time of booking. Locally, this program is administered by the San Diego County Sheriff's Department. Authorization has been received from the Sheriff to reimburse the City for two Records Clerks to perform this function. In order to accept this reimbursement we are requesting Council authorization to amend the 1991 Appropriation Ordinance by adding two Records Clerks to the Records Division of the Police Department.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO APPROVE. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-91-411 Corr.) ADOPTED AS RESOLUTION R-277239

Authorizing the City Manager to implement a residential interior plumbing retrofit program for 50,000 pre-1981 single family residences, as recommended in City Manager Report CMR-90-407; authorizing the execution of an agreement with the Metropolitan Water District (MWD) of Southern California for receipt of funds from MWD to be used for the implementation of the City's retrofit program, together with any amendment or modifications which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement; authorizing the execution of a contract with Brown and Caldwell for retrofit program design and implementation services, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and amendment; authorizing the execution of a letter agreement with the San Diego County Water Authority (CWA) stipulating the manner in which MWD funds will be passed through to the City of San Diego, together with any amendments or modifications which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the City Manager to accept the lowest responsible bid of Niagara Conservation Corporation for the provision of water conservation kits, as may be required during the City's retrofit program, at an estimated cost of \$397,500 for 50,000 kits at \$7.95 perkit; authorizing the expenditure of an amount not to exceed \$917,729 from the Water Utilities Department Operating Fund (41500), Administrative Services Program (70613), for the purpose of implementing the residential interior plumbing retrofit program.
(See City Manager Report CMR-91-21.)

Aud. Cert. 9100199.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, January 22, 1991**

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WU-U-91-020.

FILE LOCATION: WATER Residential Interior Plumbing Retrofit
Program CCONT FY 91-1; CONT FY 91-3

COUNCIL ACTION: (Tape location: A621-624, H369-420.)

Motion by Henderson to continue Items S406, 201, S407, and S500 to 2:00 p.m. at the request of the City Manager due to lack of time in the morning session. Second by Bernhardt. Passed by the following vote: Yeas-1,2,3,5,6,7,8,M. Not present-4.

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-91-845) CONTINUED TO APRIL 8, 1991

(Continued from the meeting of January 9, 1991, Item 204, at Councilmember Wolfsheimer's request, to allow the item to be heard by the Transportation and Land Use Committee first.) Amending Council Policy 600-36 regarding Requirements for Annual Adjustment of Facilities Benefit Assessments and Prepayment of Assessments. (See City Manager Report CMR-90-539.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A105-110, B037-049.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 19, 1991, TO BE HEARD AFTER TRANSPORTATION AND LAND USE COMMITTEE MEETING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO RECONSIDER THE ITEM. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO APRIL 8, 1991 TO BE HEARD AFTER TRANSPORTATION AND LAND USE COMMITTEE MEETING. Second by Bernhardt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-1051) CONTINUED TO FEBRUARY 19, 1991

(Continued from the meeting of January 9, 1991, Item 137, at Councilmember Wolfsheimer's request, to allow Engineering and Development to answer questions concerning the pedestrian bridge.)

Authorizing the execution of an agreement with La Jolla Partners and Embassy Suites, Inc., for the deferred construction of a pedestrian bridge across La Jolla Village Drive; authorizing the City Manager to deposit \$198,206 in interest bearing Fund No. 10595.

(See City Manager Report CMR-90-542. University City Community Area. District-1.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A105-112.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE ITEM-150 AT THE CITY MANAGER'S REQUEST AS IT HAD BEEN ADOPTED ON JANUARY 9, 1991, AND INADVERTENTLY PLACED ON THIS DOCKET, AND TO CONTINUE ITEM-203 TO FEBRUARY 19, 1991, AT THE CITY MANAGER'S REQUEST TO MEET WITH THE COMMUNITY. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330: (O-91-50) INTRODUCED, TO BE ADOPTED FEBRUARY 4, 1991

Introduction of an Ordinance amending Chapter X, Article 2, of the San Diego Municipal Code by amending Sections 102.0303, 102.0403, 102.0405 and 102.0409, relating to Subdivisions, by establishing a procedure for charging fees to monitor long term environmental mitigation, amending the public improvements portion of the right-of-way dedication requirements to add provision for public transport, and adding provisions to the bridge and thoroughfare fee requirements to add public transit facilities.

(See City Manager Report CMR-90-373 and Committee
Consultant Analysis TLU-90-8 and TLU-88-55.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 9/10/90.
Recommendation to accept City Manager Report CMR-90-373 to
approve changes to the Municipal Code to require that
right-of-way dedications and/or reservations for transit purposes
be acquired from private development and implement an
environmental mitigation monitoring program. Districts 1, 2, 4,
5 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A335-340.)

Hearing began 10:45 a.m. and halted 10:46 a.m.

CONSENT MOTION BY HENDERSON TO INTRODUCE. Second by
McCarty. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-91-1378) DENY THE APPEAL, GRANT THE PERMIT,
ADOPTED AS RESOLUTION R-277240

Appeals of Lucia Forde-Murphy, et al, from the decision
of the Planning Commission in granting Coastal
Development Permit CDP-90-0533, proposing demolition of
an existing single family home and construction of a
two residential unit structure. The subject property
is located at 536 Palomar Avenue, in Zone R-3000, in
the La Jolla Community Plan area, and is more
particularly described as Lot 30, La Jolla Gables,
Map-1993.
(CDP-90-0533. District-1.)

Adoption of a Resolution granting or denying the appeal
and granting or denying the permit, with appropriate
findings to support Council action.

FILE LOCATION: PERM CDP-90-0533

COUNCIL ACTION: (Tape location: F052-G415.)

Hearing began at 3:00 p.m. and halted at 4:06 p.m.

Council Member Bernhardt entered at 4:03 p.m.

Testimony in opposition by Rebecca Michaels, Pino Parente, Jaruska Parente, Brian Todd, Don Glaser, Jennifer Sparks, Robert Mosher, Aage Frederiksen, Norah DeSilva, Augusto Angelucci.

Testimony in favor by Dave Odell, Tony Ciani, Walt Hall, Lucia Forde-Murphy.

MOTION BY WOLFSHEIMER TO DENY THE APPEAL AND GRANT THE PERMIT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-332: (R-91-) CONTINUED TO JANUARY 29, 1991

Appeal of the Fourth and C Corporation (owner of the California Theatre building), by Lynne L. Heidel of Peterson and Price, from the decision of the Historical Site Board in approving site designation of the California Theatre building as Site No. 263, Grade 1. The theater is located at 330-336 C Street/1122 4th Avenue, and is more particularly described as Lots E-G, Block 16, Horton's Addition. (District-8.)

Adoption of a Resolution granting or denying the appeal and granting or denying the historical site designation, with appropriate findings to support Council action.

FILE LOCATION:

COUNCIL ACTION: (Tape location: E325-327.)

MOTION BY BERNHARDT TO CONTINUE TO JANUARY 29, 1991 AT THE REQUEST OF THE APPELLANT, LYNNE HEIDEL. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S400: PRESENTATION MADE

Presentation to Abbe Wolfsheimer for her service as Deputy Mayor in 1990.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A095-101.)

MOTION BY BERNHARDT TO APPROVE THE PRESENTATION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: ACKNOWLEDGMENT MADE

Acknowledging and commending Reverend Glenn Allison and the Episcopal Community Services Members for their outstanding volunteer efforts in organizing a successful 1990 Mayor's Holiday Shelter for the homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E050-194.)

ITEM-S402: PRESENTATION MADE

In the matter of a presentation to the Mayor and Council from the Friends of the Library and Citizens in Action for Local Libraries.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E195-237.)

* ITEM-S403: (R-91-1073) ADOPTED AS RESOLUTION R-277235

Awarding a contract to Bay City Electric Works, Inc. for nine generators and nine overvoltage protection packages, for a total cost of \$135,030.79, including tax; authorizing the expenditure of an amount not to exceed \$135,030.79, from Department Nos. 30244 and 820, Fund Nos. 30244 and 50030, Organization No. 400, Object Account No. 3306 and Job Order Nos. 333950 and 8257, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-B1944/91)

Aud. Cert. 9100536.

FILE LOCATION: CONT-Purchase-Bay City Electric Works, Inc.
CONFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-91-1122) ADOPTED AS RESOLUTION R-277236

Authorizing the execution of an agreement with The San Diego Cardiac Center Medical Group, Inc., contractor, for treadmill testing of Police Officers age 40 years and older from November 1, 1990 through June 30, 1991, with options to renew the contract for two additional one year periods; authorizing the expenditure of an amount estimated to be \$37,500 from Fund 100, Department 110, Organization 322, Account No. 4222, Job Order 111691, for the above project. (See City Manager Report CMR-91-37.)

Aud. Cert. 9100500.

FILE LOCATION: CONT-Purchase-The San Diego Cardiac Center
Medical Group, Inc. CONFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-91-1189) ADOPTED AS RESOLUTION R-277216

A Resolution approved by the City Council in Closed Session on Tuesday, January 15, 1991 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-yea; Pratt-not present; Bernhardt-yea; Henderson-not present; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the sum of \$169,789 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Kevin Baxter (Superior Court Case No. 614653, Kevin Wayne Baxter v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue two checks: one in the amount of \$70,000 made payable to Kevin Baxter and his attorney, Sherry Santa Cruz, and a second check in the amount of \$99,789 made payable to General American Life Insurance Company in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the claim of Kevin Baxter against the City of San Diego as a result of the incident which occurred on March 6, 1989.

Aud. Cert. 9100535.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-91-1055) RETURNED TO CITY MANAGER

(Continued from the meeting of January 15, 1991, Item 339, at the City Manager's request, for full Council.)

Directing the City Manager to effect such reductions in the Fiscal Year 1991 and 1992 Water Operating Budgets of the Water Utilities Department as may be necessary to compensate for the revenue deficiency resulting from the absence of increases in water base fees and commodity weekly meter readings in order for consumers to immediately Bernhardt-yea, Henderson-yea, McCarty-yea, Filner, not present, Mayor O'Connor-yea.

ITEM-S407: (R-91-1159) CONTINUED TO JANUARY 29, 1991

(Continued from the meeting of January 15, 1991, Item S503, at the City Manager's request, for further

review.)

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$500,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) to provide supplemental funds to be expended solely and exclusively for the purpose of defraying costs incurred in the opposition to the proposed merger of San Diego Gas and Electric Company and Southern California Edison.

Aud. Cert. 9100526.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A621-624, H385-391.)

Motion by Henderson to continue Items S406, 201, S407, and S500 to 2:00 p.m. at the request of the City Manager due to lack of time in the morning session. Second by Bernhardt. Passed by the following vote: Yeas-1,2,3,5,6,7,8,M. Not present-4.

MOTION BY BERNHARDT TO CONTINUE TO JANUARY 29, 1991 FOR FULL COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S408: (R-91-1188) ADOPTED AS RESOLUTION R-277237

Amending Resolution R-270246, which vacated Old Harbor Drive and Pacific Highway, by amending the term of expiration in Paragraph 5 from January 26, 1991 to January 26, 1992, for the dedication of the realignment of Harbor Drive.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: In connection with the realignment of Harbor Drive, the City of San Diego adopted Resolution No. R-270246 on January 26, 1988, vacating Old Harbor Drive and Pacific Highway south of Market Street. Section 5 of the vacation resolution states the resolution shall not become effective unless and until the realignment of Harbor Drive is dedicated. In the event the realignment is not completed within three years after the adoption of the resolution, the resolution shall become void. The three years is up January 26, 1991. The realignment and improvements on Harbor Drive have been completed

and the roadway is open for public use, however, the right-of-way has not yet been dedicated. The documents for the dedication are currently in plan check and it's just a matter of time before the dedication process is completed. We recommend that the City Council grant the maximum extension of time of one year for Resolution R-270246 so there would be no problem in executing the dedication documents.

FILE LOCATION: STRT J-2676 DEED F-4327 DEEDFY91-1

COUNCIL ACTION: (Tape location: A335-340.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (O-91-210) INTRODUCED AS AMENDED, TO BE
ADOPTED FEBRUARY 4, 1991

(Trailed as Unfinished Business from the meeting of January 15, 1991, Item S502, due to lack of 5 votes; Trailed from the adjourned meeting of Tuesday, January 8, 1991, Item 333; Continued from the meeting of January 9, 1991, Item 209; Continued from the meetings of September 24, 1990, Item 203, Subitem G, and November 13, 1990, Item 335.)

The proposed City-Wide Multi-Family Design Regulations, which address the issues of bulk, scale, parking, landscaping, and the quality of new multi-family residential development projects. The proposed regulations would amend the R zones (Multiple Family Residential), the City-Wide Landscape Ordinance and the Multi-Family Parking Requirements by establishing: - Thresholds for discretionary review; - Lot consolidation prohibition;

- Street facade requirements regarding entries, windows, pedestrian access, garages and carports;
- Flexible building envelope requirements, including front of lot height restrictions, offsetting planes variable yard setbacks, permitted encroachments, and private exterior area;
- Requirements for refuse and general storage areas;
- Screening requirements for utility and refuse areas;
- Alley access parking requirements;
- Parking space size requirements and curb cut

limitations; and

- Preservation of large tree(s) in front of lot.

The following sections of the San Diego Municipal Code would be amended:

- 101.0410 R Zones (Multiple Family Residential);
- 101.0713 Measures Compliance (City-Wide Landscape Regulations);
- 101.0835 Multi-Family Parking requirements.

These regulations would apply to Multi-Family Residential Ministerial Permit applications City-wide, except in areas governed by Planned District Ordinances. These proposed regulations were discussed at previous City Council hearings on July 10, 1990 and on July 24, 1990.
(City-wide.)

Introduction of an Ordinance amending the San Diego Municipal Code relating to the Multi-Family Design Regulations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A621-624, E360-F053.)

Motion by Henderson to continue Items S406, 201, S407, and S500 to 2:00 p.m. at the request of the City Manager due to lack of time in the morning session. Second by Bernhardt. Passed by the following vote: Yeas-1,2,3,5,6,7,8,M. Not present-4.

MOTION BY WOLFSHEIMER TO INTRODUCE AS AMENDED, AS INDICATED IN COUNCIL MEMBER WOLFSHEIMER'S PROPOSED REVISIONS OF JANUARY 22, 1991, WITH THE ELIMINATION OF ITEMS 3 AND 5, AND ADOPT THE PLANNING DEPARTMENT'S RECOMMENDATIONS WITH THE FOLLOWING MODIFICATIONS: 1) PURPOSE AND INTENT (PAGE 1) REPLACE WITH THE JUNE 7, 1990 PLANNING DEPARTMENT STATEMENT OF PURPOSE AND INTENT AND INSERT THE UNDERLINED CLAUSES AS INDICATED IN ATTACHMENT 1.

2) P. COASTAL ZONE REGULATIONS (Page 14) REPLACE WITH PLANNING DEPARTMENT CORRECTIONS FOR CONSISTENCY (AS INDICATED IN ATTACHMENT 2). 4) H.1.g. SOLAR ACCESS ENVELOPE (PAGE 6) DELETE AS PER PLANNING DEPARTMENT RECOMMENDATION. REFER THIS ISSUE TO T&LU FOR MORE COMPREHENSIVE CONSIDERATION OF POLICIES PERTAINING TO SOLAR ACCESS AND SOLAR RELATED ENERGY CONSERVATION ISSUES. 6) L. PRESERVATION OF MATURE TREES (PAGE 14) DELETE AS PER PLANNING DEPARTMENT RECOMMENDATION. Second by Roberts. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO RETAIN ITEM #3, REGARDING FRONT FACADE WINDOWS (PAGE 11), AS PER THE PLANNING DEPARTMENT AND TASK FORCE'S RECOMMENDATION. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

MOTION BY WOLFSHEIMER TO RETAIN ITEM #5, REGARDING FRONT FACADE GARAGE DOOR LIMITATIONS, EXCEPTION ONLY (PAGE 12), AS PER THE PLANNING DEPARTMENT'S RECOMMENDATION. STAFF WAS DIRECTED TO REVIEW THE PROGRESS OF THIS PROJECT IN 18 MONTHS AND SEND BACK TO T&LU. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-91-1191) ADOPTED AS RESOLUTION R-277238

Commending and supporting the efforts and leadership of the President as Commander in Chief in the Persian Gulf crisis, unequivocally supporting the men and women of our armed forces who are carrying out their missions with professional excellence, dedicated patriotism and exemplary bravery, and urging all San Diegans to pray for the safe return of our service men and women.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A150-237, B077-D318.)

MOTION BY HENDERSON TO ACCEPT FOR CONSIDERATION A PROPOSED RESOLUTION SUPPORTING "OPERATION DESERT STORM" AND THE THOUSANDS OF SAN DIEGANS WHO ARE PARTICIPATING. Second by Bernhardt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Henderson to adopt the proposed resolution which he presented, that the City of San Diego fully endorses the goals of "Operation Desert Storm" and ask for God's blessing

on those who risk their lives to liberate Kuwait and deter Iraq and other aggressors around the world, declaring Wednesday, January 23, 1991 to be "Operation Desert Storm Day" in San Diego and urging all San Diegans to pray for the safe return of our servicemen and women back to San Diego. No second.

MOTION BY ROBERTS TO ADOPT A RESOLUTION SIMILAR TO THE SENATE VERSION AS PRESENTED BY MAYOR O'CONNOR IN THE MEETING. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Comments and question by Council Member McCarty regarding City's position at the upcoming hearing on the EIR on the Secondary Sewage situation prior to the Court's Hearing scheduled on February 5, 1991.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A112-137.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:50 p.m. in honor of the memory of Chula Vista Mayor Gayle McCandliss and Carolyn Warner.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H392).